

By: Menendez

H.B. No. 2034

A BILL TO BE ENTITLED

AN ACT

relating to the creation of a statewide sports commission.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 481.022, Government Code, is amended to read as follows:

Sec. 481.022. GENERAL DUTIES OF DEPARTMENT. The department shall:

(1) facilitate the location, expansion, and retention of domestic and international business investment to the state;

(2) provide statewide toll-free information and referrals for business and community economic development;

(3) promote and administer business and community economic development programs and services in the state;

(4) provide to businesses in the state assistance with exporting products and services to international markets;

(5) promote the state as a premier tourist and business travel destination;

(6) provide businesses and local communities with timely and useful research and data services;

(7) aggressively market and promote the business climate in the state and the state economic development business assistance programs and services through the use of available media and resources, including the Internet; ~~and~~

(8) seek funding of the department programs and

1 activities from federal, state, and private sources; and

2 (9) contract with the Statewide Sports Commission  
3 created under Chapter 489 to guide, stimulate, and promote the  
4 sports industry in this state, to promote the participation of the  
5 residents of this state in amateur athletic competitions, and to  
6 promote this state as a host for national and international amateur  
7 athletic competitions.

8 SECTION 2. Subtitle F, Title 4, Government Code, is amended  
9 by adding Chapter 489 to read as follows:

10 CHAPTER 489. STATEWIDE SPORTS COMMISSION

11 Sec. 489.001. DEFINITIONS. In this chapter:

12 (1) "Board" means the board of directors of the  
13 commission.

14 (2) "Commission" means the Statewide Sports  
15 Commission.

16 (3) "Department" means the Texas Department of  
17 Economic Development.

18 Sec. 489.002. CREATION; NONPROFIT CORPORATION. (a) The  
19 Statewide Sports Commission is created for the public purposes of:

20 (1) promoting and developing the sports industry and  
21 related industries for the purpose of improving the economic  
22 presence of these industries in this state;

23 (2) promoting amateur athletic participation for the  
24 residents of this state; and

25 (3) promoting this state as a host for national and  
26 international amateur athletic competitions for the purpose of  
27 encouraging and increasing the direct and ancillary economic

1 benefits of amateur athletic events and competitions.

2 (b) The corporate existence of the commission begins on the  
3 issuance of a certificate of incorporation by the secretary of  
4 state.

5 (c) The commission has the rights and powers of a nonprofit  
6 corporation incorporated under the Texas Non-Profit Corporation  
7 Act (Article 1396-1.01 et seq., Vernon's Texas Civil Statutes)  
8 except to the extent inconsistent with this chapter.

9 Sec. 489.003. BOARD OF DIRECTORS. (a) The commission is  
10 governed by a board of directors.

11 (b) The governor shall appoint 15 residents of this state  
12 who are knowledgeable about or active in professional sports or  
13 organized amateur sports to the board of directors. In making the  
14 appointments, the governor shall:

15 (1) consider the person's background in community  
16 service and activism in and support of the sports industry,  
17 professional sports, or organized amateur athletics;

18 (2) ensure that all areas of the state are  
19 represented; and

20 (3) ensure that the board represents ethnic and gender  
21 diversity.

22 (c) Directors serve for six-year terms with the terms of  
23 five directors expiring February 1 of each odd-numbered year. A  
24 director may not serve more than two consecutive terms.

25 (d) The governor shall fill any vacancy that occurs on the  
26 board.

27 Sec. 489.004. MEETINGS; OFFICES. (a) The board shall meet

1 quarterly.

2 (b) If the commission establishes any permanent offices,  
3 the offices must be located in a municipality, other than the state  
4 capital, that will provide the commission office space at no cost to  
5 the commission or the state.

6 Sec. 489.005. CONTRACT WITH DEPARTMENT. The commission  
7 shall contract with the department. The contract shall provide  
8 that:

9 (1) the department may review the commission's  
10 articles of incorporation before filing;

11 (2) the commission shall submit an annual budget  
12 proposal to the department for approval, on a form provided by the  
13 department;

14 (3) on the expiration or cancellation of the contract,  
15 any funds that the commission holds in trust for the department are  
16 transferred to the department;

17 (4) the department shall annually review the  
18 performance of the commission to determine whether the commission  
19 is:

20 (A) complying with the terms of the contract; and

21 (B) acting in a manner consistent with the goals  
22 of the commission and in the best interests of this state; and

23 (5) the commission may use the property, facilities,  
24 personnel, and services of the department, subject to the approval  
25 of the executive director of the department, if the commission  
26 complies with Section 489.006.

27 Sec. 489.006. EQUAL OPPORTUNITY POLICY. The board shall

1 prepare and maintain a written policy of equal employment  
2 opportunity under which all personnel transactions are made without  
3 regard to race, color, disability, sex, religion, age, or national  
4 origin.

5 Sec. 489.007. AUDIT. The corporation is a state agency for  
6 purposes of Chapter 321.

7 Sec. 489.008. COMMISSION MISSION. (a) It is the mission of  
8 the commission to act as a catalyst for the growth of the economy of  
9 this state, through the promotion and coordination of sporting  
10 events and the development of youth sports and fitness programs.

11 (b) To accomplish its mission, the commission shall:

12 (1) act as a resource center for sporting activities;

13 (2) retain existing sporting events while  
14 strategically soliciting, recruiting, and creating additional  
15 sporting events for this state;

16 (3) encourage collaboration among corporate,  
17 professional, civic, and governmental entities to maximize  
18 successful sports marketing efforts;

19 (4) position this state as a national leader in  
20 sports, enhancing the image of this state; and

21 (5) develop statewide youth sports and fitness  
22 initiatives.

23 Sec. 489.009. GENERAL POWERS OF COMMISSION. The commission  
24 may:

25 (1) receive, hold, invest, and administer property;

26 (2) raise funds; and

27 (3) receive gifts.

1       Sec. 489.010. GENERAL DUTIES OF COMMISSION. (a) The  
2 commission shall:

3           (1) promote youth participation in programs focused on  
4 fitness and health, sportsmanship, fair play, integrity, and  
5 competition;

6           (2) develop and implement internal and external  
7 strategies to promote the economic, social, and health benefits of  
8 sports to individuals, communities, and this state;

9           (3) provide current, thorough, and accurate  
10 information about sports resources in communities of this state, to  
11 facilitate the development of sports-related events;

12           (4) optimize the economic opportunities generated by  
13 sporting events for communities of this state;

14           (5) encourage, support, and assist local governments  
15 and communities in developing or hosting local amateur athletic  
16 events and competitions;

17           (6) promote this state as a host for national and  
18 international amateur athletic competitions, through:

19                   (A) assisting and supporting municipalities and  
20 other communities bidding or seeking to host the Summer Olympics or  
21 the Pan American Games;

22                   (B) developing, fostering, and coordinating  
23 services and programs designed to encourage the participation of  
24 the youth of this state in Olympic sports activities and  
25 competitions;

26                   (C) encouraging the continued use of volunteers  
27 in the commission's amateur sports programs; and

1                   (D) fostering and coordinating services and  
2 programs designed to contribute to the physical fitness of the  
3 residents of this state;

4                   (7) attract and create a variety of sports events  
5 appealing to a wide range of interests, while generating new and  
6 maximizing existing affiliated activities for youth;

7                   (8) promote a coordinated statewide initiative for  
8 frequent and accurate dissemination of sports tourism information;

9                   (9) develop a uniform methodology for measuring the  
10 return on the commission's investments; and

11                   (10) recognize outstanding development and  
12 achievement in, and contribution to, amateur sports.

13                   (b) The commission shall annually report to the governor the  
14 status of the efforts of municipalities or other communities  
15 bidding to host high-profile sporting events. The report shall  
16 include:

17                   (1) the status of the community's infrastructure and  
18 finances;

19                   (2) the projected infrastructure and financial needs  
20 of the community; and

21                   (3) recommendations for satisfying the unmet needs of  
22 the community and fulfilling the requirements for a successful bid.

23                   SECTION 3. In making the appointments of the initial  
24 directors of the Statewide Sports Commission under Section 489.003,  
25 Government Code, as added by this Act, the governor shall  
26 designate:

27                   (1) five directors for terms expiring February 1,

1 2005;

2 (2) five directors for terms expiring February 1,  
3 2007; and

4 (3) five directors for terms expiring February 1,  
5 2009.

6 SECTION 4. This Act takes effect September 1, 2003.